

EXHIBIT: 11 11 pages

Sworn Statements of Kenneth Langford

CERTIFICATE OF COURT REPORTER

I, Rebecca Edwardson, a Notary Public in and for the State of Colorado, before whom the above-entitled cause was taken, do hereby certify that the proceedings were taken by me in shorthand and thereafter reduced to typewriting under my supervision; that said proceedings is a true record; that I am neither counsel for, related to, nor employed by any of the parties to the action in which the proceedings were taken; and, further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.



Rebecca Edwardson
Rebecca Edwardson
Notary Public in and for
THE STATE OF COLORADO

My commission expires:
July 7, 2007

 ORIGINAL

1 UNITED STATES OF AMERICA
2 DEPARTMENT OF VETERANS AFFAIRS
3 OFFICE OF RESOLUTION MANAGEMENT
4 BAY PINES, FLORIDA

5 -----
6 LARRY D. THOMAS, \ ,
7 Complainant,
8 vs.

Case No.
200I-0619-2004102917

9 VA CENTRAL ALABAMA VETERANS
10 HEALTH CARE SYSTEM,
11 WEST CAMPUS,
12 Respondent. /

13 -----
14 TELEPHONIC

15 SWORN STATEMENT OF KENNETH LANGFORD

16 Tuesday - November 2, 2004
17 11:00 a.m. - 11:10 a.m.

18 APPEARANCES:

19 DEPARTMENT OF VETERANS AFFAIRS
20 OFFICE OF RESOLUTION MANAGEMENT
21 Ten Thousand Bay Pines Boulevard
22 Building 37 Room 112
Bay Pines, Florida 33708

BY: WINSTON JOHNSON
EEO SPECIALIST

1 P-R-O-C-E-E-D-I-N-G-S

2 11:00 a.m.

3 The sworn statement of KENNETH
4 LANGFORD, witness, was taken before me, KATHRYN
5 L. LILLY, Notary Public, State of North Carolina,
6 pursuant to said Notice in said cause for the
7 taking of said sworn statement.

8 * * *

9 INVESTIGATOR JOHNSON: Do you
10 solemnly swear or affirm that the information
11 that you are about to give is true and complete
12 to the best of your knowledge and belief?

13 THE WITNESS: Yes, sir.

14 Whereupon,

15 KENNETH LANGFORD
16 a witness, called for examination, after having
17 been first duly sworn or affirmed, was examined
18 and testified as follows:

19 EXAMINATION

20 BY INVESTIGATOR JOHNSON:

21 Q. For the record, my name is Winston
22 Johnson, EEO investigator, and I'm taking a

2

1 telephonic affidavit for the complaint of Larry
2 D. Thomas against the Central Alabama Health
3 Care System, West Campus, Case Number
4 200I-0619-2004102917.

5 Would you state for the record your
6 name and spell it, please?

7 A. My name is Kenneth Langford,
8 L-A-N-G-F-O-R-D.

9 Q. You have the right to have a
10 representative present. Do you have a
11 representative?

12 A. No, sir.

13 Q. Would you like to proceed without
14 one?

15 A. Yes, sir.

16 Q. Where are you employed?

17 A. I'm employed at CAVHCS, Central
18 Alabama Veterans Health Care System, West and
19 East Campus.

20 Q. How long have you been employed at
21 this facility?

22 A. Since June of 2001.

1 Q. What is your title and grade?

2 A. I am a Manager of the
3 Cardiopulmonary Department, and I'm a GS-11.

4 Q. This investigation will focus on the
5 claim accepted for investigation. I will read
6 the claim into the record before you respond to
7 it.

8 Claim, termination during
9 probationary period, whether on the basis of
10 race (black) the Complainant was discriminated
11 against when on or about May 14, 2004, the Chief
12 Information Officer, William Greer, informed him
13 that at the end of the workday his employment as
14 the Vista Imaging Implementation Manager, GS-12,
15 would be terminated during her probationary
16 period for failure to successfully perform the
17 duties of the position.

18 Since this complaint is based on the
19 Complainant's race, identify your race?

20 A. I'm Caucasian.

21 Q. Do you know the Complainant?

22 A. At the business level, not

1 personally.

2 Q. How do you know the Complainant?

3 A. Just at the work level. I don't
4 have any relationship with him outside of the
5 workplace.

6 Q. How would you describe your
7 communications with the Complainant?

8 A. I had no problems with him. I could
9 call Mr. Thomas and explain what problem I was
10 having and he was Johnny on the spot to try to
11 assist me in any way he could.

12 Q. Did the Complainant conduct Vista
13 Imaging training for your clinical staff?

14 A. Yes.

15 Q. Are you part of the clinical staff?

16 A. Yes, sir.

17 Q. Did you participate in this
18 training?

19 A. Yes, sir.

20 Q. Did you get any feedback in regard
21 to the training?

22 A. No negative feedback at all no, sir.

1 Q. How would you characterize the
2 training?

3 A. I had no problems with it. When I
4 left the classroom I could perform my duties
5 with no problems.

6 Q. Have you had the opportunity to
7 communicate with the Complainant via e-mail
8 communication?

9 A. Yes, sir.

10 Q. How would you describe those
11 communications?

12 A. Professional, to the point, could
13 give me what I needed or give me the
14 instructions of what I needed to do, I had no
15 problem with his communication.

16 Q. Describe the Complainant's
17 interpersonal communication with the clinical
18 staff that he trained.

19 A. It was professional. He could get
20 his point across. To my knowledge the staff
21 that I am responsible for, nobody had any
22 problems with Mr. Thomas.

1 Q. Were there any complaints?

2 A. None that I'm aware of.

3 Q. How would you characterize the
4 Complainant's customer service?

5 A. Customer service, he treated me as a
6 customer and he was excellent. If I had a
7 problem or a question I could pick up the phone
8 and call and he either could answer the question
9 over the phone or he was down in my department
10 reviewing what I was describing and he was
11 working out a plan to rectify the problem.

12 Q. How would you characterize the
13 Complainant's computer expertise?

14 A. I'm not going to be able to answer
15 that because other than him working in my
16 specific area I couldn't really tell you about
17 the rest of his computer experience.

18 Q. Do you have females on your staff?

19 A. Yes, sir.

20 Q. How would you describe the
21 Complainant's interaction with the female staff
22 members?

1 A. He was professional in my presence.
2 I had no problems with him being inappropriate
3 in any way or at any time.

4 Q. Were there any allegations of
5 inappropriate conduct?

6 A. No, sir, not to me.

7 Q. Were you in the position to evaluate
8 the Complainant's overall performance as
9 Implementation Manager?

10 A. No, sir.

11 Q. Do you have any reason to believe
12 the Complainant's termination during his
13 probationary period was influenced by his race?

14 A. No, sir.

15 Q. Do you have any additional
16 information that you would like to add regarding
17 the claim that you have not already shared with
18 me, something I may have missed that would
19 clarify this issue?

20 A. No, sir.

21 Q. I would like to ask you at this
22 time, would you like a copy of your transcript?

1 A. Please.

2 Q. These are the guidelines that you
3 must follow. The witness may not make any marks
4 on the transcript itself, but that all
5 corrections should be made on an errata sheet
6 that will be provided with the transcript. Any
7 changes to the original transcript will not be
8 included into the investigative file.

9 The signed transcript and correction
10 sheet are to be returned by mail to the
11 investigator within seven calendar days of
12 receipt. If the signed transcript and
13 correction sheet are not returned to the
14 investigator within seven calendar days, it will
15 be deemed that the witness has elected to waive
16 his right to review, correct and sign.

17 Witnesses will be encouraged to keep
18 a copy of the errata sheet and transcript. The
19 witness may not make substantive changes to
20 their testimony.

21 Mr. Langford, I am going to mail
22 this to you Fed Ex so I'll need you to provide

1 an address and a telephone number where you
2 would prefer to receive your transcript.

3 A. Okay. Just send it to my home
4 address. Is that proper?

5 Q. Yes.

6 A. It's ~~XXXXXXXXXX~~,
7 ~~XXXXXXXXXX~~, ~~XXXXXX~~, ~~XXXXXX~~, and the number here
8 at work would be the best one to get me.

9 Q. They probably need a home number,
10 but you can tell me what time is the best time
11 for delivery.

12 A. Sure, that would be fine. It's
13 ~~XXXXXX-XXXX~~, and the best time for delivery
14 would be after 4:00 o'clock in the afternoon.

15 INVESTIGATOR JOHNSON: Mr. Langford,
16 this ends your sworn statement. I want to thank
17 you for your time and cooperation.

18 * * * *

19 (Thereupon, at approximately 11:10
20 a.m. the above proceeding was adjourned.)

21

22

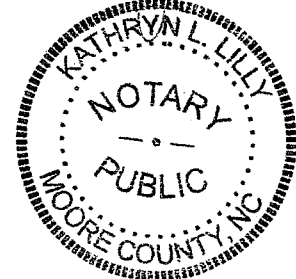
1 CERTIFICATE OF NOTARY PUBLIC

2 STATE OF NORTH CAROLINA

3 I, Kathryn L. Lilly, a Notary Public in
4 and for the State of North Carolina, before
5 whom the foregoing cause was taken, do hereby
6 certify that the witness whose testimony appears
7 in the foregoing transcript was taken by me
8 in shorthand at the time mentioned in the
9 caption hereof and thereafter transcribed by me;
10 that said transcript is a record of the
11 testimony given by said witness to the best of
12 my ability; that I am neither counsel for,
13 related to, nor employed by any parties to the
14 action; and further, that I am not a relative or
15 employee of any counsel or attorney employed by
16 the parties hereto, nor financially or otherwise
17 interested in the outcome of this action.

18
19 Kathryn L. Lilly
20 NOTARY PUBLIC

21 My Commission Expires:
22 July 27, 2008



Jabs Reporting, Inc.
1700 Pennsylvania Avenue, Suite 400

DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF RESOLUTION MANAGEMENT
BAY PINES, FLORIDA

LARRY D. THOMAS,
Complainant,

vs.

Case No.
200I-0619-2004102917

CENTRAL ALABAMA VETERANS
HEALTH CARE SYSTEM,
WEST CAMPUS,

Respondent.

ACKNOWLEDGMENT OF DEPONENT

I, Kenneth Langford, do hereby
acknowledge that I have read and examined pages 2
through 10, inclusive, of the transcript of my
deposition taken on Tuesday, November 2, 2004,
and that:

(Check appropriate box)

☐ the same is a true, correct, and complete
transcription of the answers given by me to the
questions therein recorded.

☐ except for the changes noted in the attached
Errata sheet, the same is a true, correct, and
complete transcription of the answers given by me
to the questions therein recorded.

Date

Signature

12